

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DONALD ALLEN,

Plaintiff,

vs.

No. 1:12-cv-00169-PJK-WDS

RODEY, DICKASON, SLOAN,
AKIN & ROBB, P.A., and DOES 1-25,
Inclusive.

Defendants.

ORDER

THIS MATTER comes on for consideration of Plaintiff's Motion for Reconsideration, filed May 29-30, 2012 (Docs. 29 & 30). Upon consideration thereof, the motion is not well taken and should be denied.

Mr. Allen makes a number of claims about purported errors of fact and law in the memorandum opinion and order rejecting his claims as time-barred. Doc. 28. Most are irrelevant or amount to legal re-argument. Mr. Allen does point out that the Rodey firm was not named as a defendant in the Nevada suit and that the suit was not dismissed on the merits in July 2010. Doc. 29 at 2; Doc. 30 at 2. Instead, the Rodey firm was named in the body of the complaint and the matter was stayed in bankruptcy before judgment against Mr. Allen on the pertinent claims could be entered. In any event, such a correction (though proper) is entirely irrelevant to the result in this case: Mr. Allen

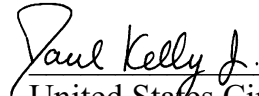
became aware of the supposed misfeasance concerning the closing documents more than four years ago and the limitations periods on his claims have since run.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED, and DECREED that:

(1) Plaintiff's Request for a Hearing (Docs. 29 & 30), on the Motion for Reconsideration is denied; and

(2) Plaintiff's Motion for Reconsideration, filed May 29-30 (Docs. 29 & 30), is denied.

DATED this 28th day of June 2012, at Santa Fe, New Mexico.


United States Circuit Judge
Sitting by Designation